

**Applicant:** Kwak et al.  
**Application No.:** 10/729,332

**REMARKS**

Claims 44-60 are currently pending in this application.

**Claim Rejections - 35 USC §**

Claims 44-60 stand rejected under 35 USC §112 as failing to comply with the written description requirement. The Examiner has stated that the independent claims 44 and 53 contain subject matter which is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Specifically, the Examiner has cited the step of “deriving the parameter representing a signal to noise plus interference value based on the first (RSSI) and second (RPI histogram) value. The Applicant respectfully disagrees.

Figure 1 is described at paragraph [0048] as showing options for PHY measurements that can be used for deriving a signal noise and interference indicator. One value shown in Figure 1 is at point A, the antenna connector, where the total received radio frequency energy is measure, which represents the signal, noise and interference. Paragraph [0008] describes the histogram values representing the channel power from all interference sources. Essentially, the

histogram values represent the noise and interference. Based on these values, the signal to noise plus interference value can be derived representing point A.

As stated in paragraph [0053] "In this way, using actual implementation losses with the theoretical performance curves allows one to relate the signal to noise measurements at any point to the signal to noise measurement at any other point." Accordingly, paragraph [0053] states that measurements at one point in the receiver chain can be used at other points. Accordingly, these measurements can be used to derive a parameter, which represents a value anywhere in the receiver chain.

### **Conclusion**

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

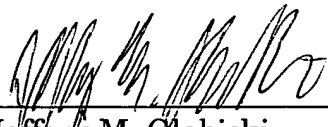
In view of the foregoing remarks, Applicants respectfully submit that the present application, including claims 44 - 60, is in condition for allowance and a notice to that effect is respectfully requested.

**Applicant:** Kwak et al.  
**Application No.:** 10/729,332

Reconsideration and entry of this amendment is respectfully requested.

Respectfully submitted,

Cave et al.

By   
Jeffery M. Glabicki  
Reg No. 42,584

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103  
Telephone: (215) 568-6400  
Facsimile: (215) 568-6499

JMG/WTM/pf